

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ORIGINAL

JOHN M. LARKINS,

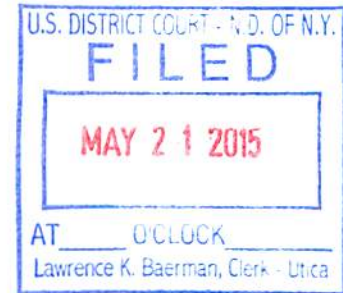
Plaintiff,

-vs-

1:13-CV-1442

JUSTIN ASHE, DOMINICK COMITALE, and
MARTIN FURCINITI,

Defendants.



VERDICT FORM

Defendant Dominick Comitale

Dated: May 20, 2015.
Utica, New York.

Court's Exhibit No. 3

EXCESSIVE FORCE

1. Did defendant Dominick Comitale use excessive force against plaintiff John Larkins, or fail to prevent the use of such force, on August 27, 2011?

Yes X No _____

If you answered YES, proceed to Question 1A.

If you answered NO, proceed to Question 2.

- A. Was the excessive force, or failure to intervene, a proximate cause of mental and / or physical injury to plaintiff John Larkins?

Yes _____ No X

Proceed to Question 2.

MALICIOUS PROSECUTION

2. Did defendant Dominick Comitale subject plaintiff John Larkins to malicious prosecution for Assault?

Yes _____ No X

If you answered YES, proceed to Question 2A.

If you answered NO, proceed to Question 3.

If you answered NO to 1 and 2, then proceed to the last page and sign the verdict form.

- A. Was the malicious prosecution a proximate cause of mental and / or physical injury to plaintiff John Larkins?

Yes _____ No _____

Proceed to Question 3.

DAMAGES

ACTUAL DAMAGES

3. *Complete this section ONLY IF you answered YES to Question 1A or 2A, otherwise proceed to Question 4.*

Pain and Suffering/Personal Injuries: \$ _____

Mental Anguish and Humiliation: \$ _____

TOTAL Actual Damages: \$ _____

Proceed to Question 5.

NOMINAL DAMAGES

4. *Complete this section ONLY IF you answered NO to Question 1A or 2A, otherwise proceed to Question 5.*

Is plaintiff John Larkins entitled to \$1.00 in nominal damages from defendant Dominick Comitale?

Yes _____ No X _____

Proceed to Question 5.

PUNITIVE DAMAGES

5. Do you find that plaintiff John Larkins is entitled to punitive damages from defendant Dominick Comitale?

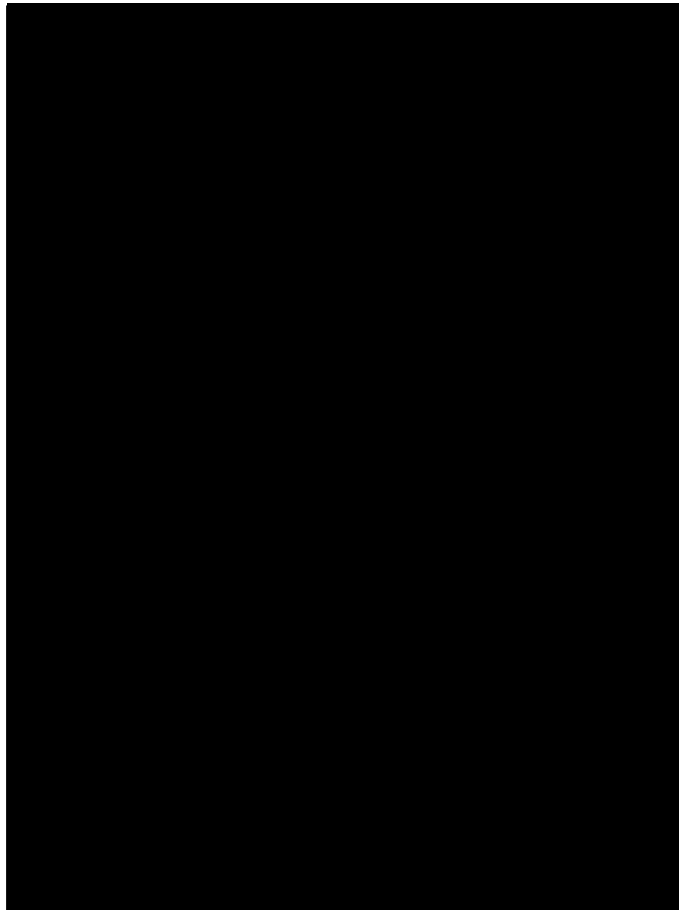
Yes X No

**PROCEED TO THE NEXT PAGE, SIGN IN THE SPACE PROVIDED, AND NOTIFY
THE MARSHAL THAT YOU HAVE REACHED A VERDICT.**

Please sign and date this verdict form.

YOUR VERDICT MUST BE UNANIMOUS.
ALL JURORS MUST SIGN.

Dated: May 21, 2015



Jurors Names Redacted